MESSAGES FROM THE LOK SABHA

(I) The Finance (No. 2) Amendment Bill, 1998.

(II) The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1999.

SECRETARY-GENERAL: Sir, I beg to report to the House the following message received from the Lok Sabha, signed by the Secretary-General of the Lok Sabha.

(D "In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Finance (No. 2) Amendment Bill, 1999, as passed by Lok Sabha at its sitting held on the 5th March, 1999.

"2. The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India." (II)

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1999, as passed by Lok Sabha at its sitting held on the 8th March, 1999."

I lay the Bills on the Table.

श्री संघ प्रिय गौतम (उत्तर प्रदेश) 3 इस प्रकार सक बहुत बड़ा फायदा हुआ है, सरकार को बधाई दो।

RE. NEED FOR GOVERNMENT TO ACCOMMODATE DISCUSSION ON IMPORTANT ISSUES

SHRI PRANAB MUKHERJEE (Wes; Bengal): Madam, with your permission, I would like to draw the attention of the Government to a matter of urgent importance so far as this House is concerned.

Yesterday, the Minister of State for Parliamentary Affairs announced the busines to be taken up during the week commencing from Monday. Naturally, it will spill over to the next week.

Since the beginning of the session, we have tried to impress upon the Gvoernment to take up a number of issues, and we have requested the Government to allocate some time and indicate it to the leaders of the Opposition parties whenever we meet. Up to now, we have not received any response from the Government. On some of the issues like allegation made by Mr.

Guruswamy, the issues relating to matters of our security as are reported in various newspapers, even substantive issues like the Approach to the Ninth Plan, which has been approved by the National Development Council, no word we have heard from the Government yet. Sometimes we are having a feeling that perhaps the utility of this House has been eroded so far as teh Gvoernment is concerned. Even in the areas where this House has a right as a legislative body, that right is not being acorded to it. Surely the Constitution never contemplated that the Rajya Sabha would be a secondary House. It is the second Chamber and the Constitution lays down the provisions that if the two Houses disagree on a piece of legislation other than the Money Bill, the Finance Bill, the Constitution (Amendment) Bill, the same procedure is laid that there will be a joint session where ultimately the legislation will be decided. But, for the last four months from the Monsoon Session we are witnessing very peculiar situation.

A piec of legislation which requries the endoresement of this House is never being brought in. It is a Government's legislation. It is not a Private Member's legislation. So far as the Prasar Bharati Bill is concerned, it was introduced by the Government. It was passed by the Lok Sabha and it was to be introduced in this House in the Monsoon session. We

waited for it. We were told something which was not factually correct. But, I am not going to repeat that. Thereafter an Ordinance was issued. As per the Constitutional requirement, the Ordinance has to be placed in the House for consideration either for approval for disapproval. Even winter session passed but it was not placed here. Madam, it is not our business, but it is the Government business to get their own proposal decided by the House. But they did not agree to bring it here. The whole Winter Session passed. Again before this Session, the same Ordinance Was promulgated. When we enquired about the future of the Prasar Bharati we were told by the Parliamentary Affairs Minister: Yes, a time will be allocated in the event of its being brought in. What does "in the event" mean? It is a fact that the ruling party does not have the majority in this House. It is not the first time when the ruling party does not have a majority. Between 1969 and 1974 the ruling party did not have a majority in this House. Between 1977 and 1982 the ruling party did not have a majority in this House. The Congress party was there. The Janta Party was there. From 1988-89 till date various ruling parties did not have a majority in this House, but that does not mean that this House will be denied its inherent right on legislation. And if the Government of India decided to bypass this House, a very legitimate question comes up — and most respectfully I would like to submit to the Members of the Government — what is the utility of this House? Was it not known to the members of the ruling party that they do not have the majority in this House when they declared the Presidential proclamation? They knew it very well. And they know it that there will be occasions when the Government motions will be defeated in this House, as the Privy Purses Bill was rejected by this House, as the Panchayati Raj (Amendment) Bill was rejected in this House, as the Banking Service Commission (Repeal) Bill was rejected by this House and thereafter the other Constitutional measuares were taken by the Government prevailing at that point of time, but there had never been an occasion that this House was bypassed.

Therefore, this matter pains us. All of us are anguished as to what our role is What our relevance is? We are left with eight to ten days of session, before this House adjourns on the 18th. Yesterday, we sat up to 7.30 P.M. Despite the Government not enjoying a majority, we are prepared to sit late so that no legislation is held up because this has been the practice. We feel that when the Government has the confidence of the other House, we should go with them. But at what cost and at what price? This House is being completely neglected even when the House on a motion wants to articulate its views. If we pass a motion, it is not necessarily incumbent on the Government to act on if they are not bund by law to do so. In 1978 this very House had passed a Resolution asking the Government to set up a Commission of Inquiry. My colleage — Mr. N.K.P. Salve is sitting here — was the Mover of that Resolution, requesting the Government of India to set up a Commission of Inquiry under the Commission of Inquiry Act, 1956 to look into the allegations made by the then Home Minister against the Prime Minister and by *vis* the Prime Minister against the Home Minister. The Government said, "Sorry, we cannot implement this Resolution because constitutionally this Resolution has to be passed by the other House." We had expressed our opinion. There may be an occasion when the House will express its opinion and the Government will act according to the Constitutional right which they have. But that does not mean that this House will be denied the right to discuss, the express its views either collectively and in a substantive form. I am afraid that we are being denied this right. Most respectfully I would like to submit — the hon. Finance Minister is present here — that we are prepared to

co-operate, we are prepared to help them. We would like to co-operate with them. But for God's sake, do not bypass this House, the area of legislation. It is still intriguing to me, what great harm it would have caused if the Presidential proclamation was rejected by this House. The net result would have been the same. The end-effect would have been the same. I would ask the Government would you not like to bring legislations, except the money Bill on the floor of the House, simply because a money Bill cannot be obstructed by us, a money Bill cannot be rejected by us? If you do not want to bring the Prasar Bharati Bill just -because a majority of the Members of this House take position on every piece of legislation other than a money Bill and a Finance Bill, then, we would also obstruct other things. Then on every occasion, you will have to call a joint session. Do you want to have such a situation? Why can't you accommodate a minimum demand of ours? For God's sake allow us to raise certain discussions on substantive motions on which notices are there. These are all in the knowledge of the Minister of Parliamentary Affairs.

Two weeks have already passed. Yesterday, when the Minister had announced the Government's business, he could have said that some of them would be taken up. Heavens would not have fallen if this House expressed its opinion on the draft Ninth Plan which has been approved by the National Development Council. Rather you could have got some inputs from Members. You could have accepted them, you could have rejected them. But what is this that even in the areas of legislation this House will be bypassed? If this House takes some initiative, if Members take some initiative, if the Government is not prepared to accommodate and allot the time, the Chairman will be helpless. Unless the Government promises to allocate the time to it, we cannot have that. Therefore, I would most respectfully submit to the Government to consider the three of four substantive motions which we have given under Rule 168. Let the Government, the Leader of the House in consultation with the Leader of the Opposition and in consultation with other leaders of the groups decide so that the business of this House can be transacted. On behalf of my party, perhaps, on behalf of my colleagues sitting on this side, I can assure that we will sit late in the evening to transact all the Government's business. But for God's sake accommodate our views to raise a substantive discussion on the issues which I have referred to. Thank you.

THE DEPUTY CHAIRMAN: Now I will call Mr. Gurudas Das Gupta. Then, Mr. Balanandan. I would like to point out that this is a serious issue which has been raised in the morning also. You had been a Member of this House, you know about it. As I said on Friday, it is a Continental House. And the impression should not go from any side that the Government is trying to neglect or to bypass the House. *{Interruptions)*

THE MINISTER OF FINANCE (SHRI YASHWANT SINHA): Madam, I will respond.

THE DEPUTY CHAIRMAN: I will call you. Now, Gurudasji.

SHRI GURUDAS DAS GUPTA (West Bengal): Madam, this House appears to be an abandoned House, abandoned by the Government, abandoned by those who are running the administration and the Government. I am sorry. I feel extremely distressed to make this complaint because, after all, if Members of the House have a feeling that we are abandoned, it is not just a question of neglect. It is an abandoned House. Then, after all, it is the system, it is the political system, it is the constitutionally constituted Parliament which is really at stake. Why have I a feeling like this? Everything can be discussed in the Press. The newspapers can discuss the issues pertaining to

defence, pertaining to the allegations made by a former naval chief. The electronic media can give publicity to the complaints and allegations, whether substantiated or unsubstantiated, made by a former adviser of the Ministry of Finance. People can make a comment. Even the Government can make a comment. But this House has no opportunity to discuss all these vital issues. Madam, some months back—Mr. Chavan will probably substantiate this—we were sitting in the Visitors' Gallery of the House of Commons. A very sensitive issue was raised by the Leader of the Opposition. The complaint, allegation, was that the present Government of the United Kingdom was actually supplying arms to the insurgents of Sierra Lenone in order to dislodge the constitutional Government, in order to dislodge the Government of that country. This was no less sensitive than the issue being raised by the former naval chief. This is an open Parliament; this is an open democracy; there is nothing to hide. And, if Members of Parliament believe that such an important issue has to be discussed in Parliament, should the Government stand in the way in the name of the security of the nation? Should that be the practice? If that is so, practically, it means that those who are in Government can veto an important subject to be discussed in the parliamentary system which means that the Prime Minister or the Government has to agree and if the Prime Minister or the Government does not agree, we

cannot discuss an important issue that is being discussed then everywhere in the country. What is going to be the reaction? The reaction is, Members of Parliament are failing in their responsibility in raising important issues that are agitating the minds of people.

Madam, let me refer to another important issue. From the beginning of this Session, we had been imploring on the Government to give time to have a discussion on the atrocities on minorities. We wanted a structured discussion, not just to raise the matter in the Zero-Hour. 'Atrocities on minorities' is an important issue. Whether any police of the Government, whether any pronouncement of the Prime Minister, whether any statement of the Home Minister, had really incited communal violence could be discussed and the Government is bound to respond. But we have not been able to do it. We have not been able to do it because the Leader of the House has not given time for it. *(Interruptions).*

SHRI T.N. CHATURVEDI (Uttar Pradesh): Madam, it is an insinuation that the statement of the Prime Minister or the Home Minister ...*(Interruptions).* That is the implication.

SHRI GURUDAS DAS GUPTA: I am only saying ...*(Interruptions).*

SHRI T.N. CHATURVEDI: I know what you are meaning and it can be replied to. Madam, can he go on speaking as much as he likes and insinuate?

SHRI GURUDAS DAS GUPTA: Madam, I am only saying ... *(Interruptions).*

SHRI T.N. CHATURVEDI: A Private Member's resolution moved by Smt. Kamla Sinha is there. There, the discussion is not structured! The discussion is not taking place in a structured manner.

It seems that only the resolution that our hon. Member, Mr. Gurudas Das. Gupta, moves, is a structured one, every thing else is unstructured, every thing else is irrelevant. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: We are not having a discussion on it. Gurudasji, please be brief.

SHRI GURUDAS DAS GUPTA: Madam, what I am saying is this. Whether this House or the Parliament is within its right to discuss important, sensitive, controversial issues that may put the Government into trouble, it is for the Government to answer. We are the

other side of the Opposition. We are in the Opposition. My friends are occupying the Treasury Benches. It is, of course, true that the issues can be raised or should be raised, and that may cause embarrassment to them ...*(Interruptions)*...

श्री टी0एन0 चतुर्वेदी : आज-कल कम आ रहे हैं।

We are ready to face all embarrassment.

SHRI SANGH PRIYA GAUTAM (Uttar Pradesh): Only the issues concerning national interests can be raised. ... *{Interruptions)*...

THE DEPUTY CHAIRMAN: Just one second. ...*(Interruptions)*... make your point ...*(Interruptions)*... Just one second.

SHRI GURUDAS DAS GUPTA: Madam, I am only trying to submit that whatever be the nature of the issue, whether it causes embarrassment to the Opposition or to the Government, that cannot be a yardstick for deciding if it can be discussed or not. It is within the Parliamentary right.

THE DEPUTY CHAIRMAN: Okay.

SHRI GURUDAS DAS GUPTA: That right of the Parliament is sought to be taken away, and that is the reason why I feel, this House has become an abandoned House, much to the peril of the parliamentary system of the country. ...*{Interruptions)*... Madam, I request you and the hon. Chairman to accept the No-Day-Yet-Named Motions that some of us have submitted to the hon. Chairman on the issue of resignation of the former Naval Chief and the allegations raised by a former Consultant or Adviser to the Ministry of Finance.

THE DEPUTY CHAIRMAN: Mr. Balanandan. ...*(Interruptions)*... Just one second, Mr. Gurudas Das Gupta. The thing is, whether one Member raises it or two members raise it or whether three Members raise it, it is the combined concern of this House. Right. Now, if each one of you speaks, then we might have a discussion on it in a structured form, not in this manner. आप जो कहेंगे वह दो-तीन सदस्यों ने बोल दिया है। अगर आपने कोई नई चीज बोलनी है तो मुझे लिखकर दे दीजिए।

श्री ईश दत्त यादव (उत्तर प्रदेश) : मैडम, सभी पार्टी के सदस्यों को बोलने का टाइम दे दीजिए।

उप सभापति : यहां सब टाइम का ही सवाल हैं। यह झगड़ा और किसका हो रहा हैं?

SHRI E. BALANANDAN (Kerala): Madam, we have raised a point that in the newspapers serious allegations are being discussed. In this House, we are not allowed to discuss those question. The question of Mr. Guruswamy is being discussed throughout India. As desired by Shri Pranab Mukherjee, we also wanted to have a substantive discussion on the questions raised by Shri Gurudas Das Gupta. Madam, you should allow us to have a discussion on those questions. Another question is also coming up concerning the Naval Chief. It is also haunting the Government in all the newspapers, and, in the other House, it is sought to be discussed. Therefore, we also want the question of Shri Guruswamy and the issues raised by Shri Gurudas Das Gupta, to be discussed in this House through a substantive motion. Madam, I am making a request to you to allow a discussion on that. It is at the discretion of the Chair to allow the discussion. ... *{Interruptions)*...

SHRI M. VENKAIAH NAIDU (Karnataka): Madam, I am on a point of clarification. I don't want to say anything else. What the Government wants to say, the hon. Minister has said he will respond, or the other Ministers can also respond. Pranab Mukherjee ji, while raising this particular issue, has also raised many other important issues, and wanted the House to discuss all those things. I am not saying anything on that. One of the points ....*(Interruptions)*...

THE DEPUTY CHAIRMAN: Let him speak.

SHRI M. VENKAIAH NAIDU: Madam, somehow, there seems to be a magnetic attraction for me from that side also!

THE DEPUTY CHAIRMAN: Opposite poles always attract each other. *(Interruptions)*

SHRI M. VENKAIAH NAIDU: The real thing is that they are neither in position nor in Opposition. They are in-between.

THE DEPUTY CHAIRMAN: I will make a comment. They have been in the Government; the people at the Centre have always been in Opposition. *{Interruptions)*

SHRI T.N. CHATURVEDI: Shri Das Gupta's party was in the Government. *(Interruptions)*

SHRI M. VENKAIAH NAIDU: I follow my seniors. I admire them. I read their speeches. And Mr. Das Gupta was speaking in the morning with all vehemence about the Calcutta Port. I was wondering what he had done two years back, because the land was in illegal occupation since 1990's. Naturally, we will follow our seniors.

Coming back to the issue raised by Shri Pranab Mukherjee, I would like to have a clarification on one point. He is a person with solid experience. And he speaks with authority. To my knowledge and according to my memory, I heard the Chairman of the Rajya Sabha giving a ruling earlier regarding the Presidential Proclamation. If the Government is interested in bringing it to the Upper House, they can bring it. If they don't want to bring it, if they want it to lapse, or, if they want to take back the Proclamation, the Government was at liberty to do it. That was the ruling given by the hon. Chairman two days back. In November 1986, also, a similar ruling was given by the then Chairman of the House. That was concerning President's Rule in Jammu and Kashmir. The then Government, the Government of Shri Pranab Mukherjee's party had imposed President's Rule in Jammu and Kashmir and thought it not wise to bring it to the Rajya Sabha, and it was allowed to lapse. That was the spirit of the ruling. Again he is quoting the same thing, as if the Government is bypassing the Rajya Sabha with regard to the Bihar, issue. Sir, it was done as per the Constitution. There was a ruling from the Chairman. Leaving that, other issues you can discuss. Regarding that issue, a ruling has been given that the Government is well within the right. You have done it earlier; we have done it now. Now you are fighting with us. I would like to know the difference between the two. *(Interruptions)*

SHRI PRANAB MUKHERJEE: I would have accepted the Government's claim totally, hundred per cent, if it was not in the context of certain other things where we are feeling frustrated. I have spoken not only on the Bihar issue; I spoke on the Prasar Bharati, I spoke on the legislative right of this House because this House has right to actively participate in the process of legislation. When both the Houses disagree, it goes to a Joint Sitting. On Money and Finance Bills, we have no right. We have to pass it within 14 days. On constitutional amendments we have equal rights. My concern is, had it been only one incident, I would not have even raised it, in view of the ruling of Mr. Venkataraman, the then Chairman and Vice-President of India. Prior to that in 1980, sitting on that side, we had discussions for days together. The only difference was that Mr. Advani was sitting here and I was sitting there. We had discussions and Justice Hidayatullah, who was then the Vice-President and Chairman of this House, made the observation. Therefore, I would not have raised the Bihar issue, had it been an isolated incident. The Government was perfectly within its right. But in regard to Bihar and Prasar Bharati, not much time was given for any discussion. These issues., taken together

create an impression that, perhaps, this House has lost its relevance so far as the Government is concerned.

THE DEPUTY CHAIRMAN: Mr. Naidu, you are a Member of this House. If you don't protect the constitutional right of this House, then you will really become redundant. I, as a Presiding Officer, have tried my level best, and most of the people know about it, to see that in every respect, whether it was regarding establishment of the Parliamentary Standing Committee, or, any other issue, the relevance of the House which is enshrined in our Constitution is kept. Not that we want anything extra. We don't want anything less than what is our right.

The other point which the Members should know is that this House has the privilege to have some Members who are nominated by the hon. President. We come from different walks of life, with different expertise. The reason why the framers of the Constitution decided to have a second chamber is not only to keep a check and balance on the decision of the Government of the day, but also to hae varied opinions from the different Members of the House including those who are nominated. They may not be in majority. They may be just a few. But to have a healthy democracy it is necessary that the opinions of both the Houses should combine. Then the democracy will continue. Today somebody is in the Government and tomorrow someone else will come. It is the responsibility of the people belonging to both the Houses and the Government to keep the dignity of the institutions which grew over the years. We can destroy it just in one day with one incident. But it takes a long time to have good precidents and to keep the institutions alive. Now I would like the Finance Minister to respond to it. *(Interruptions)*....

श्री संघ प्रिय गौतम : हम आपकी भावनाओं से पूरी तरह सहमत हैं। ... (**व्यवधान**) ...

THE DEPUTY CHAIRMAN: I do not think there are two opinions on it. I do not think anyone of you, either belonging to this House or that House, can differ on this issue. We have the Motion of Thanks on the President's Address, which we are going to discuss. If the House so agrees that we should abandon that and we should have a discussion on it, I do not mind. I have no problem. But keeping the dignity of this House is my commitment. That is the thing. *(Interruptions)*...

SHRI T.N. CHATURVEDI: We have no difference at all, whether collectively or individually. Any Member can have a viewpoint different from that. We are grateful to you, Madam, for always protecting the right of individual Members. I am sure that no Government which the people of this country have elected has so far at least violated, and I am sure no future Government would ever like to violate, the spirit of the Constitution and the dignity of either of the two Houses which constitute the Parliament. It is not an individual. I share the feelings that Mr. Pranab Mukherjee has expressed regarding the Bills or legislations and the Ninth Plan. As regards the Eighth Plan, many of us had shouted and we had requested. But that was not discussed for the full five years. So, these things are happening. I can understand the pent-up feelings on this. Many a time we have expressed them. I do not think the circumstances are such as to say that just because we are in the Government, we are not interested in protecting the dignity of the House and in defending the rights of the individual. If that kind of an atmosphere is created, I think it is not, in general, good for the harmonious relationship. Otherwise, we agree with what he has spoken with great passion. *(Interruptions)*...

THE DEPUTY CHAIRMAN: Now let the Finance Minister respond.

SHRI S. VIDUTHALAI VIRUMABI (Tamil Nadu): Madam, ...

THE DEPUTY CHAIRMAN: Do you want to say the same thing? Or do you want to say something different?

SHRI S. VIDUTHALAI VIRUMBI: Yes, I want to add something. Madam, it is not different. Instead of dealing with this issue in the Chairman's Chamber, it has been brought before the House for discussion. It is most unfortunate. But we had to do that. What I feel is that the Private Members' Business has equal importance as the Government business.

.... Many of the Members want to raise some important national issues through Special Mentions. They are deprived of their right. Without going into the merits or demerits of the issue, what I say is this. The umemployment problem, the slow-down in the economy, the Ninth Five Year Plan, the conflict between the executive and the judiciary, the issues regarding the Defence Ministry, the sanctions promulgated by the developed countries, ... *{Interruptions)...*

THE DEPUTY CHAIRMAN: Mr. Virumbi, please take your seat.

SHRI S. VIDUTHALAI VIRUMBI: ... all these things are to be discussed .here. *(Interruptions)...*

THE DEPUTY CHAIRMAN: Okay. I would like to say just one thing. *(Interruptions)...* I am in the Chair. Please take your seat. *(Interruptions)...*

SHRI S. VIDUTHALAI VIRUMBI: Madam, I am finishing. You please ask the Government to allot time for these things. *(Interruptions)...*

SHRI M. VENKAIAH NAIDU: You are not allowing. *(Interruptions)...*

SHRI NILOTPAL BASU (West Bengal): You are responsible for it. *(Interruptions)...*

THE DEPUTY CHAIRMAN: Mr. Nilotpal Basu, please sit down. *(Interruptions)...*

SHRI NILOTPAL BASU: It is a matter of serious concern. *(Interruptions)...*

THE DEPUTY CHAIRMAN: Mr. Nilotpal Basu, please sit down. *(Interruptions)...* I will take care of it. Please sit down. *(Interruptions)...*

SHRI S. VIDUTHALAI VIRUMBI: Madam, they have not been able to come to a conclusion on this issue.

THE DEPUTY CHAIRMAN: I am sorry. A very serious discussion regarding the House should not get into political controversy. I do not want it, because Mr. Virumbi has raised two different issues. It is quite a different issue. These are two different issues. The one which was raised by Mr. Pranab Mukherjee, Mr. Gurudas Das Gupta and shared by each one in the House is related to Government, related to a certain legislation. That is entirely a different issue. What you are raising about Zero Hour and Special Mentions, the Government has nothing to do with it. That you deal with the hon. Chairman, when he is here. Let us not mix up the issues. Let us not mix up this House with the Business Advisory Committee where you try to say I want that issue to be raised, I want that issue to be raised. Let us not break certain traditions, I am sorry to say that. We should confine ourselves to the issue that, as many Members feel, this House should not be bypassed. I am only concerned with that issue, Mr. Fernandes ...*(Interruptions).* I am not allowing anyone, please. I am not allowing anyone please.

श्री नरेश यादव (बिहार) : महोदया, मैं ... (**व्यवधान**)

उपसभापति : नहीं आप बैठिए। बैठ जाइए ... (**व्यवधान**)

श्री नरेश यादव : महोदया मैं अलग से आपको नाम दूंगा ... (**व्यवधान**)

उपसभापति : आप बैठ जाइए प्लीज। मैं आपको अलाउ नहीं करूंगा अलग से नाम देने को तो सौ लोग भी दे सकते हैं लेकिन यह चेयर की रिस्पोंसिबिलिटी होती है कि किधर डायरेक्शन देनी हैं।

Expunged as ordered by the Chair.

SHRI YASHWANT SINHA: Madam, Deputy Chairperson, hon. Shri Pranab Mukherjee has raised an issue of great importance and to the extent to which I have been able to understand the points that he was making, those are in two parts. But, before I come to them, I would like to thank him on behalf of the Government for the very kind offer that he has made of cooperating, as indeed his party has done in the past with regard to Government business. The constitutional role and responsibility of the two Houses of Parliament is well known. We do not have to go into the details. It is also true that just as we have been changing sides in this House, some of us have also been travelling from one House to another; and I am particularly proud, Madam, Deputy Chairperson of the fact that I was a Member of this House and so indeed was the Prime Minister and other senior Members of the present Government. Therefore, to expect from this Government that any action on its part which would even slightly, remotely, impinge upon the dignity, upon the constitutional role and responsibility of this House, I think, would not be correct, would be far-fetched. I do not want to go into the merits of the issues raised here and as to why they were not brought before this House. But on behalf of the Government I would only like to emphasize that Government has acted constitutionally within the powers given to it under the Constitution. Nobody can say that any action of the Government is outside the Constitution. But having said that, I would also like to dispel any impression, which any of the actions of the Government might have created, that they were done with a view to bypasssing this House or reducing this House to a nullity and the impression as Shri Gurudas Das Gupta has said that this House is an abandoned House. This is not an abandoned House. This can never be an abandoned House. Under the Constitution, no Government, as Mr. Chaturvedi has said, can treat this House as an abandoned House and I would say on behalf of the present Government that we certainly have no such intention. My colleague, the Information and Broadcasting Minister is here, if he wishes to say anything regarding Prasar Bharati Bill, it is up to him; but among the other issues raised by hon. Shri Pranab Mukherjee in regard to the matters which should be discussed in this House, a reference was made to the former Naval Chief, a reference was made to my former Advisor and an expression of opinion was there that these issues should be discussed in the House. Now, if my experience and my memory serves me aright, Madam Deputy Chairperson, I feel that such kind of issues are discussed in the Business Advisory Committee with the representatives of the Government and it is in the Business Advisory Committee that the time and date is fixed for such discussions. So far as the former Naval Chief's issue is concerned, I believe that the hon. Prime Minister has discussed this matter with the Leader of the Opposition. After that discussion, if this House and the Leaders of various parties feel that this is an issue which should be discussed, then this is something which the Business Advisory Committee will have to cogitate and decide. So far as Shri Guruswamy's allegations are concerned, this is again an issue which the Business Advisory Committee will have to discuss. What could be the nature of the structured discussion is again something which the Business Advisory Committee has to decide. So far as Guruswamy's issue is concerned, I would like to say on my own behalf and on behalf of the Government—I have said it in the other House also—that we have absolutely no hesitation in discussing it threadbare in any manner which this House wishes. Therefore, let there not be a feeling in the minds of the hon. Members of this House that we are shying away from any discussion and that we have something to conceal or hide. I can say this on behalf of the Government that we have absolutely nothing to hide

and we are prepared for any discussion on the floor of this House. But let the Business Advisory Committee take a view. *(Interruptions)*

SHRI VAYALAR RAVI (Kerala): Madam, I would like to ...*(Interruptions)*.

THE DEPUTY CHAIRMAN: Let me give a ruling on this. *(Interruptions)*. Let me make a comment. There is no need for any ruling. I am very happy that the Finance Minister has made these comments. The future action on everybody's part will ...*(Interruptions)*

SHRI PRANAB MUKHERJEE: What about the Ordinance? The Minister of Parliamentary Affairs has taken a position "in the event of it being placed." How do you explain it? You forget about other things. This Bill was passed in the Monsoon Session in Lok Sabha. The whole Winter Session has gone and the first leg of the Budget Session is going to be over very soon. But they have not brought that Bill. Neither have they brought the Bill nor have they brought the Ordinance. How do you explain that? If anyone from the Government side can explain it, I will be very happy. *(Interruptions)*

THE DEPUTY CHAIRMAN: The Minister is there. He will answer it.

सूचना और प्रसारण मंत्री (**श्री प्रमोद महाजन**) : उपसभापति महोदया, मुझे लगा कि वित्त मंत्री जी ने जो कहा, उनकी भावना से मैं सहमत हूं। मुझे इस सदन के संबंध में अत्याधिक सम्मान है और यह सम्मान केवल संवैधानिक स्तर तक मर्यादित नहीं हैं। मेरे 13 वर्ष के संसदीय जीवन में मैंने 11 वर्ष इस सदन में बिताए हैं। गलती से मैं दो वर्ष लोक सभा में चला गया था ... (**व्यवधान**)

मौलाना ओबैदुल्ला खान आज़मी (बिहार) : अब यह गलती मत कीजियेगा।

†**مولانا عبیداللہ خاں اعظمی:** اب یہ غلطی مت کیجئے گا۔

श्री प्रमोद महाजन : मैं गलती नहीं करूंगा। यहां मेरे अभी पांच साल बाकी हैं और लोक सभा के भी चार साल बाकी हैं। ... (**व्यवधान**)

श्री बालकवि वैरागी (**मध्य प्रदेश**) : प्रमोद जी यह बता दीजिए कि गलती आपकी थी या जनता की थी जिसने आपको उधर बैठा दिया था। ... (**व्यवधान**)

श्री प्रमोद महाजन : मुझे लगता है कि जनता की गलती बता कर तो आपने मेरा सम्मान ही किया है और आपके दिल से जो जीते हैं उनका कहीं इसमें अपमान न हो जाए। जनता ने मुझे हराने में गलती की है, यह बात अगर आप कह रहे हैं तो इस वाक्य के लिए मैं आपको धन्यवाद देता हूं। (**व्यवधान**)

श्री बालकवि बैरागी : आपको उधर बैठा दिया इसमें गलती किस की थी? (**व्यवधान**)

श्री प्रमोद महाजन : जैसे आपने कहा कि सदन में मूलतः दो काम होते हैं, एक विभिन्न राजनैतिक महत्व के विषयों पर चर्चा होती हैं और दूसरा विधान बनता है। जहां तक चर्चाओं का प्रश्न है, मुख्य रूप से सदन के अध्यक्ष इनका निर्माण सब की सलाह पर करते हैं और उसके अनुसासर चर्चाएं होती हैं। जैसे कि वित्त मंत्री जी ने कहा कि किसी भी प्रकार की राष्ट्रीय राजनैतिक मुद्दे पर अगर सदन के अध्यक्ष चाहते हैं तो चर्चा करने में इस सरकार को कोई आपत्ति नहीं हैं। मैं विषयों की सूची दोहराना नहीं चाहता हूं। केवल एक बात कही गई,प्रसार भारती के इस मुद्दे को इस क्षण में राजनीतिक करना नहीं चाहता हूं क्योंकि मेरे जो विचार हैं जब वह सदन के सामने आएगा, तभी मैं सदनल का समय लूंगा। यह सच है कि प्रसार भारती का कुछ संशोधित विधेयक एक सदन में पास हुआ है। इस सवदन के सामने वह अभी आया नहीं हैं और सरकार अपनी सुविधा के अनुसार और अपनी प्राथमिकता के अनुसार इस सदन के सामने संविधानिक तरीके से जब भी लाना होगा उसे लाएगी।

श्री सुरेश पचौरी (मध्य प्रदेश) : इसी सत्र में लाएंगे? .. (**व्यवधान**)

SHRI GURUDAS DAS GUPTA: Madam, the Government doesn't assure the House ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Let us not ...*(Interruptions)* Let us have a serious discussion. *(Interruptions)*

SHRI GURUDAS DAS GUPTA: The hon. Minister doesn't assure that the ordinance, as promulgated, will be presented to the House for discussion. *(Interruptions)*

SHRI NILOTPAL BASU: I want to seek a clarification from Pramodji. *(Interruptions)* We were told in this House that the Bill could not come here because the President was not putting his signatures on it. Now, has the Government's position changed? It seems so. *(Interruptions)*

MISS SAROJ KHAPARDE (Maharashtra): Madam, we would like to know from the Minister whether ...*(Interruptions)*...

SHRI NILOTPAL BASU: ...without the President's assent, the Bill cannot come. *(Interruptions)*

THE DEPUTY CHAIRMAN: I cannot allow ten Members. If you sit down, then I will allow. *(Interruptions)*

MISS SAROJ KHAPARDE: They should not speak like this. They should be very pointed on this issue. That is all. *(Interruptions)*

श्री सुरेश पचौरी : मंत्री जी को स्पष्ट करना चाहिए कि इसी सत्र में लाएंगे या कब लाएंगे यह स्पष्ट नहीं हैं।

श्री नरेश यादव : महोदया, माननीय मंत्री जी ने कहा है कि राष्ट्रीय महत्व के विषय परी चेयर चाहे तो अनुमत्ति से चर्चा कर लें। तो अब चेयर पर है कि गुरूस्वामी के मामले पर आप अनुमत्ति दे और चर्चा में लाएं ... (**व्यवधान**)

कुमारी सरोज खापर्डे : महोदया, मुखर्जी जी ने जो मुद्दा उठाया था प्रसार भारती का, मैं इस सदन के माध्यम से मंत्री जी से पूछना चाहूंगी कि आप प्रसार भारती के बारे में जो अभी आपने कहा, तो आप इस सदन में कब तक लाएंगे। क्या इसी सत्र में लाएंगे? या और कब लाने वाले हैं? इसके बारे में हम आपसे जवाब चाहेंगे।

उपसभापति : अच्छा, अभी आप लोग बैठ जाइए ... (**व्यवधान**)

SHRI JOHN F. FERNANDES (Goa): Madam, there was an assurance given to this House by Sushma Swarajji during the Monsoon Session, when I had raised this matter. She had said that the Bill had been sent to the President for his assent on Saturday and Sunday was a holiday—she made this statement on Monday—and as soon as the President gave his assent, she would bring it before the House. Now, this Minister is answering in a different manner; it is a matter of breach of privilege. You can check the record. It is the same Government, but with a different Minister. How can they reply in this manner?

THE DEPUTY CHAIRMAN: Let me put the things in proper order. As far as the constitutional responsibility of this House insofar as Government Business is concerned, it is very clear and the Government, whether this Government or any other Government, is bound by it. Till this House dissolves itself by its own resolution, this House remains. So the the constitutional responsibility is clear and both the Ministers, the Minister of Finance....

श्री प्रमोद महाजन : मैडम, लोग इस हाउस में इसलिए आते हैं कि यह डिसाल्व नहीं होता (**व्यवधान**)

THE DEPUTY CHAIRMAN: So, so far as the constitutional responsibility is concerned, the Minister of Finance and the Minister of Information and Broadcasting have confirmed it. So, you rest assured. Now, what is the constitutional.... *(Interruptions)* Every Government has got certain privileges and those privileges are also shared by this Government. But I still feel that, considering the sentiments of the Members, any legislation, that has been passed in the other House should be brought to this House so that not only the constitutional requirement is fulfilled but propriety is also maintained. The business should not lapse and it should not appear that the business has been made to lapse. It might lapse by not your wanting it to lapse, but because of some negligence or some ignorance or

whatever it may be But it should not appear that it was purposely made to lapse. Now, you know the sentiments of the House. One never knows who sits on which side in future. So, it is better that we keep the healthy practices and the traditions of this House. Let not this impression, Mr. Information Minister go...

SHRI PRAMOD MAHAJAN: Madam, I know the traditions of this House. There are several instances when one Bill was passed in one House and it came too late in the other House. So, whatever traditions are there....

THE DEPUTY CHAIRMAN: Let us try.

SHRI PRAMOD MAHAJAN: Whatever constitutionaly is needed, will be done for that Bill also.

THE DEPUTY CHAIRMAN: All right. Now, we will go on to the Motion of Thanks on the President's Address. ....*(Interruptions)*... Now. that matter is closed. ...*(Interruptions)*...

SHRI JOHN F. FERNANDES: Madam, there was a strike by ATCs and six people were arrested by the Government. There are two plane crashes, one in Chennai and one in Delhi, and there is no statement from the Civil Aviation Minister. It is a very serious matter.

THE DEPUTY CHAIRMAN: I think, a statement on the Delhi accident, as far as the defence matter is concerned, was made.

SHRI JOHN F. FERNANDES: There was a request to the Civil Aviation Minister to make a statement in this House as it was a failure of ATC. There was a sabotage by the ATCs. We want that a statement should come from the Civil Aviation Minister.

THE DEPUTY CHAIRMAN: I would ask the Government to tell the Civil Aviation Minister to ring a statement before the House because it is very serious. Last month we have seen—and personally, I have witnessed that a very important dignitary from the Soviet Union who was visiting India—I was at the airport to see him off—he had to wait for almost 45 minutes sitting in the plane, and the plane did not leave because some strike was going on over there. These serious matters take place. The Minister should come before the House as he owes some information to share with the Members so that the Memebrs can also express their views. Now, we will take up the Motion of Thanks. ...*(Interruptions)*...

अभी क्या रह गया। ... (**व्यवधान**)

RE:NOTICE OF PRIVILEGE REGARDING "ASIAN AGE"

श्री बालकवि बैरागी (मध्य प्रदेश) : मैडम, विंटर सैंशन में मैंने "एशियन एज" के खिलाफ प्रिविलेज मोशन दिया था। इस सवदन के कई सदस्यों और देश के कई जिम्मेदार अधिकारियों के नाम एक अखबार ने रमेश शर्मा वाले मामले में छापे। मैंने प्रिविलेज़ मोशन दिया और उसके बाद अभी तक उस मोशन के बारे में कोई निर्णायक स्थिति सामने नहीं आई। मैडम, मैं चाहता हूं कि उस में आप हस्तक्षेप करें और इस मामले को स्पष्ट करें, क्योंकि इस सदन के कई माननीय सदस्यों का मामला उसमे उलझा हुआ हैं।

SHRI JAYANT KUMAR MALHOTRA (Uttar Pradesh): Madam, this issue regarding Romesh Sharma has been raised many times in this House. Also, the issue about the names of officials who are occupying sensitive positions has been raised, but no action has been taken. It is a matter of national security, and I have repeatedly reminded. In fact, I have written to every Member of Parliament, apart from the hon. Chairman, but nothing has happened till date.

THE DEPUTY CHAIRMAN: As regards your privilege...

डा0 (श्रीमती) उर्मिला चिमनभाई पटेल (गुजरात) : मैडम, मैं एक बात कहना चाहती हूं ... (**व्यवधान**)